

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

| | | |
|-----------------------------------------------|---|---------------------------|
| H.R. BUSHMAN & SON, CORP., et al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | No. 4:06CV1638 CDP |
| |) | |
| SPUD PACKERS, INC., et al., |) | |
| |) | |
| Defendants. |) | |

ORDER


In light of the suggestion of bankruptcy filed by Spud Packers, Inc. and the resulting automatic stay of this action, the Court concludes that the case should be administratively closed until such time as the bankruptcy proceedings have been concluded or Court action is otherwise allowed. Any motion seeking reopening of the case shall state:

- (a) the facts and procedural history, including any significant occurrences in the bankruptcy proceedings;
- (b) the issues remaining for determination by this Court;
- (c) the potential for settlement, and the status of any settlement discussions;
- (d) whether a Rule 16 scheduling conference is requested;
- (e) the status of discovery;
- (f) whether significant pretrial motion practice, including the filing of potentially dispositive motions, is anticipated;
- (g) the date by which it is reasonably likely that the case would be ready to proceed to trial; and
- (h) the estimated length of trial.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of the Court shall administratively **CLOSE** this action, subject to reopening on a motion filed in compliance with this order.

IT IS FURTHER ORDERED that any pending motions are denied without prejudice to being refiled in the event the case is reopened.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 12th day of December, 2006.